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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: DEPUTY

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Jordan Susman (State Bar No. 246116)
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Attorney for Plaintiffs
ZOMBA RECORDING LLC; WARNER BROS. RECORDS INC.; ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; BMG MUSIC; VIRGIN RECORDS AMERICA, INC.; UMG RECORDINGS, INC.; SONY BMG MUSIC ENTERTAINMENT; CAPITOL RECORDS, INC.; ELEKTRA ENTERTAINMENT GROUP INC.; FONOVISA, INC.; INTERSCOPE RECORDS; and LAFACE RECORDS LLC

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ZOMBA RECORDING LLC, a Delaware limited liability company; WARNER BROS. RECORDS INC., a Delaware corporation; ARISTA RECORDS LLC, a Delaware limited liability company; ATLANTIC RECORDING CORPORATION, a Delaware corporation; BMG MUSIC, a New York general partnership; VIRGIN RECORDS AMERICA, INC., a California corporation; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; CAPITOL RECORDS, INC., a Delaware corporation; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; FONOVISA, INC., a California corporation; INTERSCOPE RECORDS, a California general partnership; and LAFACE RECORDS LLC, a Delaware limited liability company,

Plaintiffs,

vs.

DOES 1 - 10,

Defendants.

Case No.: '08 CV 479 DMS BLM

COMPLAINT FOR COPYRIGHT INFRINGEMENT

Plaintiffs, by their attorneys, for their complaint against Defendants, allege:

JURISDICTION AND VENUE

1. This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. § 101 *et seq.*).

2. This Court has jurisdiction under 17 U.S.C. § 101 *et seq.*; 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338(a) (copyright).

3. Venue in this District is proper. See 28 U.S.C. §§ 1391(b), 1400(a). Although the true identity of each Defendant is unknown to Plaintiffs at this time, on information and belief, a substantial part of the acts of infringement complained of herein occurred in this District. On information and belief, personal jurisdiction in this District is proper because each Defendant, without consent or permission of the copyright owner, disseminated over the Internet copyrighted works owned and/or controlled by Plaintiffs. On information and belief, such illegal dissemination occurred in every jurisdiction in the United States, including this one. In addition, each Defendant contracted with an Internet Service Provider ("ISP") found in this District to provide each Defendant with the access to the Internet which facilitated Defendants' infringing activities.

PARTIES

4. Plaintiff ZOMBA RECORDING LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

5. Plaintiff Warner Bros. Records Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

6. Plaintiff Arista Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

7. Plaintiff Atlantic Recording Corporation is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

8. Plaintiff BMG Music is a general partnership duly organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

9. Plaintiff Virgin Records America, Inc. is a corporation duly organized and existing under the laws of the State of California, with its principal place of business in the State of New York.

10. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

11. Plaintiff SONY BMG MUSIC ENTERTAINMENT is a Delaware general partnership, with its principal place of business in the State of New York.

12. Plaintiff Capitol Records, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

13. Plaintiff Elektra Entertainment Group Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

14. Plaintiff Fonovisa, Inc. is a division of Univision Music LLC. Univision Music LLC is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

15. Plaintiff Interscope Records is a California general partnership, with its principal place of business in the State of California.

16. Plaintiff LaFace Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

17. The true names and capacities of Defendants are unknown to Plaintiffs at this time. Each Defendant is known to Plaintiffs only by the Internet Protocol ("IP") address assigned to that Defendant by his or her ISP on the date and time of that Defendant's infringing activity. See Exhibit A. Plaintiffs believe that information obtained in discovery will lead to the identification of each Defendant's true name.

18. Although Plaintiffs do not know the true names of Defendants, each Defendant is alleged to have committed violations of the same law (e.g., copyright law), by committing the same acts (e.g., the downloading and distribution of copyrighted sound recordings owned by Plaintiffs), and by using the same means (e.g., a file-sharing network) that each Defendant accessed via the same ISP.

Accordingly, Plaintiffs' right to relief arises out of the same series of transactions or occurrences, and there are questions of law or fact common to all Defendants such that joinder is warranted and appropriate here.

COUNT I

INFRINGEMENT OF COPYRIGHTS

19. Plaintiffs incorporate herein by this reference each and every allegation contained in each paragraph above.

20. Plaintiffs are, and at all relevant times have been, the copyright owners or licensees of exclusive rights under United States copyright law with respect to certain copyrighted sound recordings, including, but not limited to, all of the copyrighted sound recordings on Exhibit A to this Complaint (collectively, these copyrighted sound recordings shall be identified as the "Copyrighted Recordings"). Each of the Copyrighted Recordings is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights to each Plaintiff as specified on each page of Exhibit A.

21. Among the exclusive rights granted to each Plaintiff under the Copyright Act are the exclusive rights to reproduce the Copyrighted Recordings and to distribute the Copyrighted Recordings to the public.

22. Plaintiffs are informed and believe that each Defendant, without the permission or consent of Plaintiffs, has continuously used, and continues to use, an online media distribution system to download and/or distribute to the public certain of the Copyrighted Recordings. Exhibit A identifies on a Defendant-by-Defendant basis (one Defendant per page) the IP address with the date and time of capture and a list of copyrighted recordings that each Defendant has, without the permission or consent of Plaintiffs, downloaded and/or distributed to the public. Through his or her continuous and ongoing acts of downloading and/or distributing to the public the Copyrighted Recordings, each Defendant has violated Plaintiffs' exclusive rights of reproduction and distribution. Each Defendant's actions constitute infringement of Plaintiffs' copyrights and/or exclusive rights under copyright. (In addition to the sound recordings listed for each Defendant on Exhibit A, Plaintiffs are informed and believe that

each Defendant has, without the permission or consent of Plaintiffs, continuously downloaded and/or distributed to the public additional sound recordings owned by or exclusively licensed to Plaintiffs or Plaintiffs' affiliate record labels, and Plaintiffs believe that such acts of infringement are ongoing. Exhibit A includes the currently-known total number of audio files being distributed by each Defendant.)

23. Plaintiffs have placed proper notices of copyright pursuant to 17 U.S.C. § 401 on each respective album cover of each of the sound recordings identified in Exhibit A. These notices of copyright appeared on published copies of each of the sound recordings identified in Exhibit A. These published copies were widely available, and each of the published copies of the sound recordings identified in Exhibit A was accessible by each Defendant.

24. Plaintiffs are informed and believe that the foregoing acts of infringement have been willful, intentional, and in disregard of and with indifference to the rights of Plaintiffs.

25. As a result of each Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to statutory damages pursuant to 17 U.S.C. § 504(c) against each Defendant for each infringement by that Defendant of each copyrighted recording. Plaintiffs further are entitled to their attorneys' fees and costs pursuant to 17 U.S.C. § 505.

26. The conduct of each Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiffs are entitled to injunctive relief prohibiting each Defendant from further infringing Plaintiffs' copyrights, and ordering that each Defendant destroy all copies of copyrighted sound recordings made in violation of Plaintiffs' exclusive rights.

WHEREFORE, Plaintiffs pray for judgment against each Defendant as follows:

1. For an injunction providing:

> "Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the Copyrighted Recordings and any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs'

Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings or to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control."

2. For statutory damages for each infringement of each Copyrighted Recording pursuant to 17 U.S.C. § 504.

3. For Plaintiffs' costs in this action.

4. For Plaintiffs' reasonable attorneys' fees incurred herein.

5. For such other and further relief as the Court may deem just and proper.

Dated: March 14, 2008

JONATHAN G. FETTERLY
JORDAN SUSMAN
HOLME ROBERTS & OWEN LLP

By: ______________________________
Jonathan G. Fetterly
Jordan Susman
Attorney for Plaintiffs
ZOMBA RECORDING LLC; WARNER BROS. RECORDS INC.; ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; BMG MUSIC; VIRGIN RECORDS AMERICA, INC.; UMG RECORDINGS, INC.; SONY BMG MUSIC ENTERTAINMENT; CAPITOL RECORDS, INC.; ELEKTRA ENTERTAINMENT GROUP INC.; FONOVISA, INC.; INTERSCOPE RECORDS; and LAFACE RECORDS LLC

EXHIBIT A

EXHIBIT A DOE LIST

Doe # 1	**IP Address:** 64.252.101.170 2007-09-10 18:38:49 EDT
Doe # 2	**IP Address:** 76.195.157.84 2007-09-12 09:06:35 EDT
Doe # 3	**IP Address:** 70.235.18.27 2007-09-13 19:12:10 EDT
Doe # 4	**IP Address:** 208.189.39.147 2007-09-22 03:14:27 EDT
Doe # 5	**IP Address:** 75.53.100.30 2008-01-22 23:25:40 EST
Doe # 6	**IP Address:** 99.147.196.102 2008-01-24 05:36:21 EST
Doe # 7	**IP Address:** 70.232.142.241 2008-01-25 10:20:56 EST
Doe # 8	**IP Address:** 99.141.191.250 2008-01-27 18:29:54 EST
Doe # 9	**IP Address:** 99.141.204.204 2008-01-27 18:57:55 EST
Doe # 10	**IP Address:** 75.23.117.158 2008-01-27 19:05:32 EST

EXHIBIT A

IP Address: 64.252.101.170 2007-09-10 18:38:49 EDT **CASE ID#** 141776720

P2P Network: GnutellaUS **Total Audio Files:** 622

Copyright Owner	Artist	Recording Title	Album Title	SR#
UMG Recordings, Inc.	Bon Jovi	Wanted Dead Or Alive	Slippery When Wet	71-794
Warner Bros. Records Inc.	My Chemical Romance	The Ghost Of You	Three Cheers for Sweet Revenge	360-197
Capitol Records, Inc.	Everclear	Wonderful	Songs from an American Movie - Vol. 1, Learning How to Smile	284-811
UMG Recordings, Inc.	Reba McEntire	Fancy	Rumor Has It	121-401
UMG Recordings, Inc.	Papa Roach	Scars	Getting Away With Murder	360-567
BMG Music	Christina Aguilera	Fighter	Stripped	326-219
SONY BMG MUSIC ENTERTAINMENT	Howie Day	Collide	Stop All The World Now	349-701
SONY BMG MUSIC ENTERTAINMENT	Five for Fighting	100 Years	100 Years (single)	379-570
UMG Recordings, Inc.	Nelly	Over and Over	Suit	358-551

EXHIBIT A

IP Address: 76.195.157.84 2007-09-12 09:06:35 EDT

CASE ID# 141943167

P2P Network: GnutellaUS

Total Audio Files: 182

Copyright Owner	Artist	Recording Title	Album Title	SR#
BMG Music	Kelly Clarkson	Because Of You	Breakaway	352-147
BMG Music	Natalie Imbruglia	Torn	Left of the Middle	246-607
UMG Recordings, Inc.	Snow Patrol	Chocolate	Final Straw	353-890
UMG Recordings, Inc.	Rihanna	Rush	Music Of The Sun	372-611
Arista Records LLC	Avril Lavigne	Tomorrow	Let Go	312-786
UMG Recordings, Inc.	Rihanna	We Ride	A Girl Like Me	387-137
BMG Music	Avril Lavigne	Don't Tell Me	Under My Skin	332-312
BMG Music	Kelly Clarkson	Miss Independent	Thankful	355-313

EXHIBIT A

IP Address: 70.235.18.27 2007-09-13 19:12:10 EDT **CASE ID#** 142059498

P2P Network: GnutellaUS **Total Audio Files:** 458

Copyright Owner	Artist	Recording Title	Album Title	SR#
Capitol Records, Inc.	Heart	Stranded	Brigade	114-803
UMG Recordings, Inc.	Bryan Adams	Please Forgive Me	So Far So Good	206-509
Elektra Entertainment Group Inc.	Eagles	Life in the Fast Lane	Hotel California	N38950
BMG Music	Eurythmics	Missionary Man	Revenge	76-501
UMG Recordings, Inc.	Counting Crows	Raining in Baltimore	August and Everything After	172-267
BMG Music	John Denver	Annie's Song	Back Home Again	46-358
Atlantic Recording Corporation	Foreigner	Urgent	Urgent (single)	27-781

EXHIBIT A

IP Address: 208.189.39.147 2007-09-22 03:14:27 EDT **CASE ID#** 142740261

P2P Network: GnutellaUS **Total Audio Files:** 347

Copyright Owner	Artist	Recording Title	Album Title	SR#
UMG Recordings, Inc.	Young Jeezy	Get Ya Mind Right	Let's Get It: Thug Motivation 101	375-159
UMG Recordings, Inc.	George Strait	Check Yes or No	Strait Out of the Box	213-745
UMG Recordings, Inc.	Bon Jovi	I'd Die for You	Slippery When Wet	71-794
LaFace Records LLC	TLC	No Scrubs	Fanmail	298-454
UMG Recordings, Inc.	Hoobastank	The Reason	The Reason	339-555
BMG Music	Lonestar	Let Them Be Little	Let's Be Us Again	354-615
Warner Bros. Records Inc.	Avenged Sevenfold	Beast And The Harlot	City Of Evil	374-368
UMG Recordings, Inc.	Whitesnake	Still Of The Night	Whitesnake	82-749
SONY BMG MUSIC ENTERTAINMENT	Switchfoot	This is Your Life	The Beautiful Letdown	347-967

EXHIBIT A

IP Address: 75.53.100.30 2008-01-22 23:25:40 EST **CASE ID#** 156521773

P2P Network: GnutellaUS **Total Audio Files:** 437

Copyright Owner	Artist	Recording Title	Album Title	SR#
Capitol Records, Inc.	MC Hammer	U Can't Touch This	Please Hammer, Don't Hurt 'Em	133-683
UMG Recordings, Inc.	Avant	You	Private Room	339-561
UMG Recordings, Inc.	Black Eyed Peas	My Humps	Monkey Business	378-166
SONY BMG MUSIC ENTERTAINMENT	Beyonce	Crazy in Love	Dangerously in Love	342-236
BMG Music	Cristian	Volver a Amar	Mi Vida Sin Tu Amor	291-400
Fonovisa, Inc.	Grupo Mojado	Caldo De Pollo	Sueno Y Realidiad	231-281
UMG Recordings, Inc.	Nelly	Grillz	Grillz (single)	385-148
UMG Recordings, Inc.	50 Cent	Candy Shop	The Massacre	366-051
Capitol Records, Inc.	Selena	Dreaming of You	Dreaming of You	210-307

EXHIBIT A

IP Address: 99.147.196.102 2008-01-24 05:36:21 EST **CASE ID#** 156653546

P2P Network: GnutellaUS **Total Audio Files:** 78

Copyright Owner	Artist	Recording Title	Album Title	SR#
UMG Recordings, Inc.	Blue October	Hate Me	Foiled	388-117
UMG Recordings, Inc.	Godsmack	Straight Out Of Line	Faceless	329-097
UMG Recordings, Inc.	Hinder	Lips of an Angel	Extreme Behavior	379-192
UMG Recordings, Inc.	Nelly Furtado	Promiscuous	Promiscuous (single)	391-618
SONY BMG MUSIC ENTERTAINMENT	Good Charlotte	Lifestyles of the Rich and Famous	The Young and the Hopeless	309-099
UMG Recordings, Inc.	Nelly Furtado	Say It Right	Loose	387-509
Warner Bros. Records Inc.	Red Hot Chili Peppers	Californication	Californication	174-922

EXHIBIT A

IP Address: 70.232.142.241 2008-01-25 10:20:56 EST **CASE ID#** 156814568

P2P Network: GnutellaUS **Total Audio Files:** 365

Copyright Owner	Artist	Recording Title	Album Title	SR#
UMG Recordings, Inc.	Reba McEntire	She Thinks His Name Was John	Read My Mind	186-057
BMG Music	Alan Jackson	A Woman's Love	High Mileage	295-185
SONY BMG MUSIC ENTERTAINMENT	Journey	Faithfully	Frontiers	43-223
BMG Music	NSYNC	God Must Have Spent A Little More Time on You	*NSYNC	252-748
UMG Recordings, Inc.	Reba McEntire	Is There Life Out There	For My Broken Heart	135-078
Atlantic Recording Corporation	Lil Kim	Magic Stick	Bella Mafia	351-071
UMG Recordings, Inc.	The Cranberries	Ode To My Family	No Need To Argue	218-047

EXHIBIT A

IP Address: 99.141.191.250 2008-01-27 18:29:54 EST **CASE ID#** 157118889

P2P Network: GnutellaUS **Total Audio Files:** 62

Copyright Owner	Artist	Recording Title	Album Title	SR#
Capitol Records, Inc.	Vanilla Ice	Ice Ice Baby	To The Extreme	125-259
SONY BMG MUSIC ENTERTAINMENT	John Mayer	Neon	Room for Squares	305-049
UMG Recordings, Inc.	50 Cent	Candy Shop	The Massacre	366-051
UMG Recordings, Inc.	The Killers	Somebody Told Me	Hot Fuss	355-962
UMG Recordings, Inc.	Shania Twain	Man! I Feel Like A Woman	Come On Over	243-502
UMG Recordings, Inc.	Bon Jovi	You Give Love a Bad Name	Slippery When Wet	71-794
Capitol Records, Inc.	MC Hammer	U Can't Touch This	Please Hammer, Don't Hurt 'Em	133-683
Capitol Records, Inc.	Blondie	One Way Or Another	Parallel Lines	4-090

EXHIBIT A

IP Address: 99.141.204.204 2008-01-27 18:57:55 EST **CASE ID#** 157124371

P2P Network: GnutellaUS **Total Audio Files:** 1162

Copyright Owner	Artist	Recording Title	Album Title	SR#
Zomba Recording LLC	Britney Spears	Toxic	In the Zone	335-267
Interscope Records	Eminem	Without Me	Eminem Show	317-924
Warner Bros. Records Inc.	Green Day	Holiday	American Idiot	362-125
UMG Recordings, Inc.	Vanessa Carlton	Ordinary Day	Be Not Nobody	313-943
UMG Recordings, Inc.	Beck	Where It's At	Odelay	222-917
Virgin Records America, Inc.	Spice Girls	If U Can't Dance	Spice	201-276
Warner Bros. Records Inc.	Madonna	Sorry	Confessions on a Dance Floor	375-278
SONY BMG MUSIC ENTERTAINMENT	Modest Mouse	Bury Me With It	Good News For People Who Love Bad News	353-218
Elektra Entertainment Group Inc.	The Cure	Friday I'm in Love	Wish	148-543
Capitol Records, Inc.	Billy Idol	White Wedding	Billy Idol	39-673

EXHIBIT A

IP Address: 75.23.117.158 2008-01-27 19:05:32 EST **CASE ID#** 157124998

P2P Network: GnutellaUS **Total Audio Files:** 746

Copyright Owner	Artist	Recording Title	Album Title	SR#
Arista Records LLC	Thompson Twins	Lies	Lies (single)	41-934
UMG Recordings, Inc.	Nelly Furtado	Say It Right	Loose	387-509
Virgin Records America, Inc.	Smashing Pumpkins	Tonight, Tonight	Mellon Collie and the Infinite Sadness	183-904
UMG Recordings, Inc.	U2	Where The Streets Have No Name	The Joshua Tree	78-949
Arista Records LLC	Ace of Base	Don't Turn Around	The Sign	169-749
SONY BMG MUSIC ENTERTAINMENT	Modest Mouse	Float On	Good News For People Who Love Bad News	353-218
UMG Recordings, Inc.	Janet Jackson	Love Will Never Do (Without You)	Rhythm Nation 1814	109-115
Warner Bros. Records Inc.	Red Hot Chili Peppers	Give It Away	Blood Sugar Sex Magik	135-276
UMG Recordings, Inc.	Guns N Roses	November Rain	Use Your Illusion I	134-647
Elektra Entertainment Group Inc.	Tracy Chapman	Fast Car	Fast Car (single)	90-386

ORIGINAL

AO 121 (6/90)

TO:	
Register of Copyrights **Copyright Office** **Library of Congress** **Washington, D.C. 20559**	**REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT**

'08 CV 479 - DMS BLM

In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

☒ ACTION	☐ APPEAL	COURT NAME AND LOCATION **United States District Court** **Southern District of California** **Edward J. Schwartz Courthouse** **940 Front Street** **San Diego, CA 92101-8900**
DOCKET NO.	DATE FILED	

PLAINTIFF	DEFENDANT
ZOMBA RECORDING LLC; WARNER BROS. RECORDS INC.; ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; BMG MUSIC; VIRGIN RECORDS AMERICA, INC.; UMG RECORDINGS, INC.; SONY BMG MUSIC ENTERTAINMENT; CAPITOL RECORDS, INC.; ELEKTRA ENTERTAINMENT GROUP INC.; FONOVISA, INC.; INTERSCOPE RECORDS; and LAFACE RECORDS LLC	**DOES 1 - 10**

COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK
1	See Exhibit A, attached.	
2		
3		
4		

In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY ☐ Amendment ☐ Answer ☐ Cross Bill ☐ Other Pleading	
COPYRIGHT REGISTRATION NO.	**TITLE OF WORK**	**AUTHOR OF WORK**
1		
2		
3		

In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached:

COPY ATTACHED	WRITTEN OPINION ATTACHED	DATE RENDERED
☐ Order ☐ Judgment	☐ Yes ☐ No	

CLERK	(BY) DEPUTY CLERK	DATE

*U.S.G.P.O. 1982-374-279

Copy 1 – Upon initiation of action, mail this copy to Register of Copyrights.

EXHIBIT A DOE LIST

Doe # 1	**IP Address:** 64.252.101.170 2007-09-10 18:38:49 EDT
Doe # 2	**IP Address:** 76.195.157.84 2007-09-12 09:06:35 EDT
Doe # 3	**IP Address:** 70.235.18.27 2007-09-13 19:12:10 EDT
Doe # 4	**IP Address:** 208.189.39.147 2007-09-22 03:14:27 EDT
Doe # 5	**IP Address:** 75.53.100.30 2008-01-22 23:25:40 EST
Doe # 6	**IP Address:** 99.147.196.102 2008-01-24 05:36:21 EST
Doe # 7	**IP Address:** 70.232.142.241 2008-01-25 10:20:56 EST
Doe # 8	**IP Address:** 99.141.191.250 2008-01-27 18:29:54 EST
Doe # 9	**IP Address:** 99.141.204.204 2008-01-27 18:57:55 EST
Doe # 10	**IP Address:** 75.23.117.158 2008-01-27 19:05:32 EST

EXHIBIT A

IP Address: 64.252.101.170 2007-09-10 18:38:49 EDT **CASE ID#** 141776720

P2P Network: GnutellaUS **Total Audio Files:** 622

Copyright Owner	Artist	Recording Title	Album Title	SR#
UMG Recordings, Inc.	Bon Jovi	Wanted Dead Or Alive	Slippery When Wet	71-794
Warner Bros. Records Inc.	My Chemical Romance	The Ghost Of You	Three Cheers for Sweet Revenge	360-197
Capitol Records, Inc.	Everclear	Wonderful	Songs from an American Movie - Vol. 1, Learning How to Smile	284-811
UMG Recordings, Inc.	Reba McEntire	Fancy	Rumor Has It	121-401
UMG Recordings, Inc.	Papa Roach	Scars	Getting Away With Murder	360-567
BMG Music	Christina Aguilera	Fighter	Stripped	326-219
SONY BMG MUSIC ENTERTAINMENT	Howie Day	Collide	Stop All The World Now	349-701
SONY BMG MUSIC ENTERTAINMENT	Five for Fighting	100 Years	100 Years (single)	379-570
UMG Recordings, Inc.	Nelly	Over and Over	Suit	358-551

EXHIBIT A

IP Address: 76.195.157.84 2007-09-12 09:06:35 EDT **CASE ID#** 141943167

P2P Network: GnutellaUS **Total Audio Files:** 182

Copyright Owner	Artist	Recording Title	Album Title	SR#
BMG Music	Kelly Clarkson	Because Of You	Breakaway	352-147
BMG Music	Natalie Imbruglia	Torn	Left of the Middle	246-607
UMG Recordings, Inc.	Snow Patrol	Chocolate	Final Straw	353-890
UMG Recordings, Inc.	Rihanna	Rush	Music Of The Sun	372-611
Arista Records LLC	Avril Lavigne	Tomorrow	Let Go	312-786
UMG Recordings, Inc.	Rihanna	We Ride	A Girl Like Me	387-137
BMG Music	Avril Lavigne	Don't Tell Me	Under My Skin	332-312
BMG Music	Kelly Clarkson	Miss Independent	Thankful	355-313

EXHIBIT A

IP Address: 70.235.18.27 2007-09-13 19:12:10 EDT **CASE ID#** 142059498

P2P Network: GnutellaUS **Total Audio Files:** 458

Copyright Owner	Artist	Recording Title	Album Title	SR#
Capitol Records, Inc.	Heart	Stranded	Brigade	114-803
UMG Recordings, Inc.	Bryan Adams	Please Forgive Me	So Far So Good	206-509
Elektra Entertainment Group Inc.	Eagles	Life in the Fast Lane	Hotel California	N38950
BMG Music	Eurythmics	Missionary Man	Revenge	76-501
UMG Recordings, Inc.	Counting Crows	Raining in Baltimore	August and Everything After	172-267
BMG Music	John Denver	Annie's Song	Back Home Again	46-358
Atlantic Recording Corporation	Foreigner	Urgent	Urgent (single)	27-781

EXHIBIT A

IP Address: 208.189.39.147 2007-09-22 03:14:27 EDT **CASE ID#** 142740261

P2P Network: GnutellaUS **Total Audio Files:** 347

Copyright Owner	Artist	Recording Title	Album Title	SR#
UMG Recordings, Inc.	Young Jeezy	Get Ya Mind Right	Let's Get It: Thug Motivation 101	375-159
UMG Recordings, Inc.	George Strait	Check Yes or No	Strait Out of the Box	213-745
UMG Recordings, Inc.	Bon Jovi	I'd Die for You	Slippery When Wet	71-794
LaFace Records LLC	TLC	No Scrubs	Fanmail	298-454
UMG Recordings, Inc.	Hoobastank	The Reason	The Reason	339-555
BMG Music	Lonestar	Let Them Be Little	Let's Be Us Again	354-615
Warner Bros. Records Inc.	Avenged Sevenfold	Beast And The Harlot	City Of Evil	374-368
UMG Recordings, Inc.	Whitesnake	Still Of The Night	Whitesnake	82-749
SONY BMG MUSIC ENTERTAINMENT	Switchfoot	This is Your Life	The Beautiful Letdown	347-967

EXHIBIT A

IP Address: 75.53.100.30 2008-01-22 23:25:40 EST

CASE ID# 156521773

P2P Network: GnutellaUS

Total Audio Files: 437

Copyright Owner	Artist	Recording Title	Album Title	SR#
Capitol Records, Inc.	MC Hammer	U Can't Touch This	Please Hammer, Don't Hurt 'Em	133-683
UMG Recordings, Inc.	Avant	You	Private Room	339-561
UMG Recordings, Inc.	Black Eyed Peas	My Humps	Monkey Business	378-166
SONY BMG MUSIC ENTERTAINMENT	Beyonce	Crazy in Love	Dangerously in Love	342-236
BMG Music	Cristian	Volver a Amar	Mi Vida Sin Tu Amor	291-400
Fonovisa, Inc.	Grupo Mojado	Caldo De Pollo	Sueno Y Realidiad	231-281
UMG Recordings, Inc.	Nelly	Grillz	Grillz (single)	385-148
UMG Recordings, Inc.	50 Cent	Candy Shop	The Massacre	366-051
Capitol Records, Inc.	Selena	Dreaming of You	Dreaming of You	210-307

EXHIBIT A

IP Address: 99.147.196.102 2008-01-24 05:36:21 EST **CASE ID#** 156653546

P2P Network: GnutellaUS **Total Audio Files:** 78

Copyright Owner	Artist	Recording Title	Album Title	SR#
UMG Recordings, Inc.	Blue October	Hate Me	Foiled	388-117
UMG Recordings, Inc.	Godsmack	Straight Out Of Line	Faceless	329-097
UMG Recordings, Inc.	Hinder	Lips of an Angel	Extreme Behavior	379-192
UMG Recordings, Inc.	Nelly Furtado	Promiscuous	Promiscuous (single)	391-618
SONY BMG MUSIC ENTERTAINMENT	Good Charlotte	Lifestyles of the Rich and Famous	The Young and the Hopeless	309-099
UMG Recordings, Inc.	Nelly Furtado	Say It Right	Loose	387-509
Warner Bros. Records Inc.	Red Hot Chili Peppers	Californication	Californication	174-922

EXHIBIT A

IP Address: 70.232.142.241 2008-01-25 10:20:56 EST **CASE ID#** 156814568

P2P Network: GnutellaUS **Total Audio Files:** 365

Copyright Owner	Artist	Recording Title	Album Title	SR#
UMG Recordings, Inc.	Reba McEntire	She Thinks His Name Was John	Read My Mind	186-057
BMG Music	Alan Jackson	A Woman's Love	High Mileage	295-185
SONY BMG MUSIC ENTERTAINMENT	Journey	Faithfully	Frontiers	43-223
BMG Music	NSYNC	God Must Have Spent A Little More Time on You	*NSYNC	252-748
UMG Recordings, Inc.	Reba McEntire	Is There Life Out There	For My Broken Heart	135-078
Atlantic Recording Corporation	Lil Kim	Magic Stick	Bella Mafia	351-071
UMG Recordings, Inc.	The Cranberries	Ode To My Family	No Need To Argue	218-047

EXHIBIT A

IP Address: 99.141.191.250 2008-01-27 18:29:54 EST **CASE ID#** 157118889

P2P Network: GnutellaUS **Total Audio Files:** 62

Copyright Owner	Artist	Recording Title	Album Title	SR#
Capitol Records, Inc.	Vanilla Ice	Ice Ice Baby	To The Extreme	125-259
SONY BMG MUSIC ENTERTAINMENT	John Mayer	Neon	Room for Squares	305-049
UMG Recordings, Inc.	50 Cent	Candy Shop	The Massacre	366-051
UMG Recordings, Inc.	The Killers	Somebody Told Me	Hot Fuss	355-962
UMG Recordings, Inc.	Shania Twain	Man! I Feel Like A Woman	Come On Over	243-502
UMG Recordings, Inc.	Bon Jovi	You Give Love a Bad Name	Slippery When Wet	71-794
Capitol Records, Inc.	MC Hammer	U Can't Touch This	Please Hammer, Don't Hurt 'Em	133-683
Capitol Records, Inc.	Blondie	One Way Or Another	Parallel Lines	4-090

EXHIBIT A

IP Address: 99.141.204.204 2008-01-27 18:57:55 EST **CASE ID#** 157124371

P2P Network: GnutellaUS **Total Audio Files:** 1162

Copyright Owner	Artist	Recording Title	Album Title	SR#
Zomba Recording LLC	Britney Spears	Toxic	In the Zone	335-267
Interscope Records	Eminem	Without Me	Eminem Show	317-924
Warner Bros. Records Inc.	Green Day	Holiday	American Idiot	362-125
UMG Recordings, Inc.	Vanessa Carlton	Ordinary Day	Be Not Nobody	313-943
UMG Recordings, Inc.	Beck	Where It's At	Odelay	222-917
Virgin Records America, Inc.	Spice Girls	If U Can't Dance	Spice	201-276
Warner Bros. Records Inc.	Madonna	Sorry	Confessions on a Dance Floor	375-278
SONY BMG MUSIC ENTERTAINMENT	Modest Mouse	Bury Me With It	Good News For People Who Love Bad News	353-218
Elektra Entertainment Group Inc.	The Cure	Friday I'm in Love	Wish	148-543
Capitol Records, Inc.	Billy Idol	White Wedding	Billy Idol	39-673

EXHIBIT A

IP Address: 75.23.117.158 2008-01-27 19:05:32 EST **CASE ID#** 157124998

P2P Network: GnutellaUS **Total Audio Files:** 746

Copyright Owner	Artist	Recording Title	Album Title	SR#
Arista Records LLC	Thompson Twins	Lies	Lies (single)	41-934
UMG Recordings, Inc.	Nelly Furtado	Say It Right	Loose	387-509
Virgin Records America, Inc.	Smashing Pumpkins	Tonight, Tonight	Mellon Collie and the Infinite Sadness	183-904
UMG Recordings, Inc.	U2	Where The Streets Have No Name	The Joshua Tree	78-949
Arista Records LLC	Ace of Base	Don't Turn Around	The Sign	169-749
SONY BMG MUSIC ENTERTAINMENT	Modest Mouse	Float On	Good News For People Who Love Bad News	353-218
UMG Recordings, Inc.	Janet Jackson	Love Will Never Do (Without You)	Rhythm Nation 1814	109-115
Warner Bros. Records Inc.	Red Hot Chili Peppers	Give It Away	Blood Sugar Sex Magik	135-276
UMG Recordings, Inc.	Guns N Roses	November Rain	Use Your Illusion I	134-647
Elektra Entertainment Group Inc.	Tracy Chapman	Fast Car	Fast Car (single)	90-386

UNITED STATES
DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION

148780 - SR
* * C O P Y * *
March 14, 2008
13:56:22

Civ Fil Non-Pris
USAO #.: 08CV0479 CIV. FIL.
Judge..: DANA M SABRAW
Amount.:
Check#.: BC#357658 $350.00 CK

Total-> $350.00

FROM: ZOMBA RECORDING, ET AL V.
DOES 1 - 10
CIVIL FILING

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

ZOMBA RECORDING LLC; WARNER BROS. RECORDS INC.; ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; BMG MUSIC; VIRGIN RECORDS AMERICA, INC.; UMG RECORDINGS, INC.; SONY BMG MUSIC ENTERTAINMENT; CAPITOL RECORDS, INC.; ELEKTRA ENTERTAINMENT GROUP INC.; FONOVISA, INC.; INTERSCOPE RECORDS; and LAFACE RECORDS LLC

(b) County of Residence of First Listed Plaintiff **New York County, NY**
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS
DOES 1 - 10

08 MAR 14 PM 2:00

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION F THE LAND INVOLVED.

'08 CV 479 DMS BLM

(c) Attorney's (Firm Name, Address, and Telephone Number)
Jonathan G. Fetterly (SBN: 228612) **Telephone: 213.572.4300**
HOLME ROBERTS & OWEN LLP **Facsimile: 213.572.4400**
777 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5826

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT (Place an 'X" in One Box Only)

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excl. Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury

PERSONAL INJURY
- ☐ 362 Personal Injury— Med. Malpractice
- ☐ 365 Personal Injury — Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

CIVIL RIGHTS
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 444 Welfare
- ☐ 445 Amer. w/Disabilities-Employment
- ☐ 446 Amer. w/Disabilities-Other
- ☐ 440 Other Civil Rights

PRISONER PETITIONS
- ☐ 510 Motions to Vacate Sentence Habeas Corpus:
- ☐ 530 General
- ☐ 535 Death Penalty
- ☐ 540 Mandamus & Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition

FORFEITURE/PENALTY
- ☐ 610 Agriculture
- ☐ 620 Other Food & Drug
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 630 Liquor Laws
- ☐ 640 R.R. & Truck
- ☐ 650 Airline Regs.
- ☐ 660 Occupational Safety/Health
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Mgmt. Relations
- ☐ 730 Labor/Mgmt.Reporting & Disclosure Act
- ☐ 740 Railway Labor Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Empl. Ret. Inc. Security Act

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

PROPERTY RIGHTS
- ☒ 820 Copyrights
- ☐ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW 405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

OTHER STATUTES
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce/ICC Rates/etc.
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit
- ☐ 490Cable/Sat TV
- ☐ 810 Selective Service
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 875 Customer Challenge 12 USC 3410
- ☐ 891 Agricultural Acts
- ☐ 892 Economic Stabilization Act
- ☐ 893 Environmental Matters
- ☐ 894 Energy Allocation Act
- ☐ 895 Freedom of Information Act
- ☐ 900 Appeal of Fee Determination Under Equal Access to Justice
- ☐ 950 Constitutionality of State Statutes
- ☐ 890 Other Statutory Actions

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (**Do not cite jurisdictional statutes unless diversity**)
17 U.S.C. § 501 et seq.

Brief description of the cause: copyright infringement

VII. REQUESTED IN COMPLAINT

☐ CHECK IF THIS IS A **CLASS ACTION** UNDER F.R.C.P. 23
DEMAND $ Statutory damages; injunction
CHECK YES only if demanded in complaint
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) (See instructions) IF ANY

JUDGE ____________ DOCKET NUMBER ____________

DATE
March 14, 2008

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT# 148780 AMOUNT 350. APPLYING IFP ____________ JUDGE ____________ MAG. JUDGE ____________

3/14/08 SR.

CR